

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

LARRY CARTER,

Plaintiff,

V.

THE ADVISORY GROUP, INC.,

Defendant.

CASE NO. 8:06CV603

ORDER

This matter is before the Court on the Plaintiff's Motion to Continue Examination of Judgment Debtor (Filing No. 199). Plaintiff seeks to continue the examination of the judgment debtor until further notice by the Plaintiff. Plaintiff advises the Court that the parties have entered into a settlement agreement which involves the performance of certain terms not to be completed until September 30, 2009. Plaintiff further advises that he will file either a Satisfaction of Judgment or a motion requesting a new Court date for the previously ordered debtor's examination after the expiration of the September 30, 2009, deadline. Finally, Plaintiff requests that document production for the debtor's examination, as addressed in the Court's Order of December 23, 2008, be continued until further notice by the Plaintiff. The Court being fully advised in the premises¹, will grant Plaintiff's motion, in part.

IT IS ORDERED:

1. The Plaintiff's Motion to Continue Examination of Judgment Debtor (Filing No. 199) is granted, in part, as follows:

¹Although the motion was not filed jointly by the parties, Plaintiff's counsel indicates that the motion was filed pursuant to agreement of the parties and counsel for the Defendant appears to have approved the form of the proposed order that was e-mailed to chambers. In light of this and the fact that the debtor's examination is currently scheduled for March 16, 2009, I will treat Filing No. 199 as an unopposed motion and rule on it prior to the expiration of the response deadline.

- (i) The examination of the judgment debtor scheduled for March 16, 2009, at 2:30 p.m. is cancelled; and
 - (ii) Plaintiff shall file a Satisfaction of Judgment upon completion of the terms of the Settlement Agreement, but no later than October 15, 2009, or in the event that the terms of the agreement are not completed, Plaintiff shall file a motion to re-schedule the examination of the judgment debtor on or before October 15, 2009.
2. The Defendant's Motion for Protective Order (Filing No. 196) is denied as moot.

Dated this 13th day of March, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge